

**BOARD OF COMMISSIONERS  
REGULAR MEETING  
315 WEST SECOND STREET  
FRANKFORT, KY 40601  
502/875-8500**

**September 22, 2008  
5:30 P.M. (EDT)**

**1. INVOCATION**

Rev. Jerry Parritt, First Assembly of God Church.

**PLEDGE OF ALLEGIANCE**

John Hammond

**ROLL CALL**

**MINUTES**

August 25, 2008 Regular Meeting; September 8, 2008 Special Session; September 8, 2008 Work Session.

**MAYOR'S REPORT**

**2. CEREMONIAL ITEMS**

**3. ORDINANCES**

**3.1 SECOND READING:** An Ordinance fixing the rate of taxation for the year 2009 on all motor vehicles and levying said tax for all City purposes.

**Purpose:** The purpose of this item is to consider an ordinance to set the tax rate for motor vehicles for the year 2009 at 22.7 cents per \$100 valuation.

**Background:** The tax rate must be set no later than 10-1-08 as required by the Kentucky Department of Revenue. The tax rate proposed for 2009 is the same rate as approved for 2008.

This Ordinance had its first reading on August 25, 2008.

**Recommendation:** Approval

**Attachment:**

- Ordinance

**Contact Person:**

**Name:** Steve Dawson  
**Title:** Director  
**Department:** Finance  
**Phone:** 502/875-8500  
**Email:** [sdawson@frankfort-kly.gov](mailto:sdawson@frankfort-kly.gov)

**3.2 SECOND READING:** An Ordinance Fixing the Rate of Taxation for the Year 2008 on all Tangible Property subject to tax, Trust and Insurance Companies, Public Service Companies and Levying said tax for all City purposes.

**Purpose:** The purpose of this item is to consider an ordinance setting the tax rate for 2008 Ad Valorem Taxes (allowing a 4% increase) and setting the rate for 2008 Insurance Taxable Capital Taxes.

**Background:** Proposed rates for 2008 are as follows (for General Fund Purposes):

- |                              |            |
|------------------------------|------------|
| 1. Ad Valorem                | 20.1 cents |
| 2. Insurance Taxable Capital | 15.0 cents |

Rates are levied for each \$100 valuation.

The 2007 Ad Valorem Tax rate was set at 19.9 cents.

This Ordinance had its first reading on August 25, 2008.

**Financial Analysis:** The rates will be 20.1 for 2008 and as a result the city will net an additional \$157,080 due to the change. Included in the increase is \$30,270 derived from new property.

**Recommendation:** Approval

**Attachments:**

- Ordinance

**Contact Person:**

**Name:** Steve Dawson  
**Title:** Director  
**Department:** Finance  
**Phone:** 502/875-8500  
**Email:** [sdawson@frankfort-ky.gov](mailto:sdawson@frankfort-ky.gov)

**3.3 SECOND READING:** An Ordinance Amending Frankfort Code Of Ordinances Chapter 50, Garbage; Solid Waste, Section 50.10, Recycling Program.

**Purpose:** To amend the current solid waste ordinance to allow the city to collect commercial recycling from the Downtown Renaissance District.

**Background:** On 8/11/08, Ms. Kelly Everman of Downtown Frankfort Inc. requested that the Board of Commissioner's consider amending the current Solid Waste Ordinance to allow collection of recycling material from downtown business. Staff recommendations have been incorporated into the proposed solid waste collection ordinance. The downtown service area for commercial recycling would be defined by the Downtown Renaissance District. The Downtown Renaissance District is defined by the area within the boundaries of Second Street, High Street, Mero Street and the Kentucky River. The commercial customers must purchase a recycling container from the city and service would limit to one time per week on the designated day.

This Ordinance had its first reading on August 25, 2008.

**Financial Analysis:** The City will keep the net proceeds from the recycling material to offset the collection cost.

**Recommendation:** Approval

**Attachment:**

- Ordinance

**Contact Person**

**Name:** Jeff Hackbart  
**Title:** Director  
**Department:** Public Works  
**Phone:** 502/875-8500

**Email:** [jhackbart@frankfort-ky.gov](mailto:jhackbart@frankfort-ky.gov)

- 3.4 FIRST READING:** An Ordinance closing a proposed extension to Flamingo Drive, Cardinal Hills subdivision that was dedicated to the City of Frankfort but was never constructed.

**Purpose:** The purpose of this item is to close a portion of Flamingo Drive in Cardinal Hills Subdivision as shown on the original plat of Cardinal Hills Subdivision as an extension of Flamingo Drive that was never constructed. Robert T. Harrod and Doris P. Harrod, his wife, owners of the property, have requested that the right-of-way be closed since said extension was never constructed. Ownership of this right-of-way will be conveyed to Robert T. Harrod and Doris P. Harrod.

**Background:** Robert T. Harrod and Doris P. Harrod, his wife, owners of the property, have requested that the right-of-way be closed since said extension was never constructed. Ownership of this right-of-way will be conveyed to Robert T. Harrod and Doris P. Harrod.

**Recommendation:** Approval

**Attachments:**

- Ordinance
- Request letter dated 7/21/08

**Contact Person**

**Name:** Jeff Hackbart  
**Title:** Director  
**Department:** Public Works  
**Phone:** 502/875-8500  
**Email:** [jhackbrt@fewpb.com](mailto:jhackbrt@fewpb.com)

**4. ORDERS**

None

**5. RESOLUTIONS**

- 5.1** Resolution amending the HOME Holmes Street Redevelopment Project Guidelines.

**Purpose:** To authorize amending Program Guidelines for the HOME Holmes Street Redevelopment Project to deem property that is unsuitable to rebuild a house ineligible for the project.

**Background:** The City of Frankfort applied for and received notification that we were awarded funding under the Kentucky Housing Corporation's HOME Focus Community Project. A consultant has been hired and Program Guidelines have been drafted for the project. A meeting was held on March 6, 2008 on Holmes Street to present the guidelines and to receive public input. It has been determined that some properties would be unsuitable to rebuild houses on due to the size or location of the lots. Guidelines were approved by the Commission in the Spring. However, due to some property sites being unsuitable to rebuilding staff would like to amend the guidelines. Ineligible property would include sites where the current home site is not suitable for construction due to flood or drainage conditions, unstable earth, excessive slopes, inadequate lot size, or other unsuitable environmental conditions. When it is determined by the Project Manager, in consultation with the City, that the site is unsuitable for reconstruction of a home the property shall be ineligible for assistance. When determining the suitability of the site factors to be considered include the cost of constructing a house versus the after construction market value and the accessibility of the house and site.

**Financial Analysis:** The amendments to the Guidelines and this should not affect funding.

**Recommendation:** Approval

**Attachment:**

- Resolution

**Contact Person:**

**Name:** Rebecca Hall  
**Title:** Grants Manager  
**Department:** City Manager  
**Phone:** 502/875-8500  
**Email:** [rhall@Frankfort-ky.gov](mailto:rhall@Frankfort-ky.gov)

**6. CONSENT CALENDAR**

*Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.*

- 6.1** To authorize to amend a professional service contract to DLZ Kentucky, Inc. for concept design of an expansion of the Wastewater Treatment Plant Laboratory (Sewer Department).

**Purpose:** The purpose of this item is to consider amending a contract with DLZ Kentucky for design of an expansion of the Wastewater Treatment Plant Laboratory.

**Background:** In May 2007 the Sewer Department accepted Statements of Qualifications from firms for architectural and engineering services for concept design of an expansion of the Wastewater Treatment Plant Laboratory. The Sewer Department received Statements of Qualifications from 1 firm, DLZ Kentucky, Inc. Upon review of the Statements of Qualifications and meeting with representatives of the firm, a contract was awarded to DLZ Kentucky in June 2007.

The concept design has been completed and this amendment is for DLZ Kentucky to finalize design, prepare contract documents, and perform bidding services and oversight of the construction. The amount of Amendment # 1 is \$75,500, with an estimated construction cost of \$650,000, includes survey of the site and geotechnical exploration.

Original Contract	\$50,000
Amendment # 1	<u>\$75,500</u>
Total Contract	\$125,500

**Financial Analysis:** Funds are available in Account No. 300.68.54390.

**Recommendation:** Approval

**Attachment:**

- Amendment No. 1

**Contact Person**

**Name:** William R. Scalf, Jr., PE  
**Title:** Director  
**Department:** Sewer  
**Phone:** 502/875-2448  
**Email:** [wscalf@frankfort-ky.gov](mailto:wscalf@frankfort-ky.gov)

- 6.2** To authorize the Mayor to sign contract with ADP, Inc. to perform payroll time collection for the City (Finance Department).

**Purpose:** To authorize the Mayor to sign a contract with ADP, Inc. to perform payroll time collection for the City.

**Background:** The City of Frankfort currently spends more than 100 hours each pay period preparing, summarizing, and reviewing time records. Switching to an automated system should substantially reduce the hours spent each pay period. The Sewer Department will be the first Department to roll out this new system. Should the new automated system prove successful, additional Departments will be added.

**Financial Analysis:** This should save the city money by allowing those employees currently spending time on payroll time collection to perform other duties.

**Recommendation:** Approval

**Attachment:**

- Contract

**Contact Persons**

<b>Name:</b>	Steve Dawson	John Morrow
<b>Title:</b>	Director	Director
<b>Department:</b>	Finance	Personnel
<b>Phone:</b>	502/875-8500	502/875-8500
<b>Email:</b>	<a href="mailto:sdawson@frankfort-ky.gov">sdawson@frankfort-ky.gov</a>	<a href="mailto:jmorrow@frankfort-ky.gov">jmorrow@frankfort-ky.gov</a>

- 6.3** To authorize award a professional service contract to DLZ Kentucky, Inc. for design and oversight of construction of a Maintenance Building at the Wastewater Treatment Plant (Sewer Department).

**Purpose:** The purpose of this item is to consider awarding a contract to DLZ Kentucky for design and construction oversight of a Maintenance Building at the Wastewater Treatment Plant.

**Background:** Currently the Sewer Department uses a building beside lock 4 to house parts and equipment. This building is outside the Sewer Department compound and the Kentucky River Authority has expressed interest in purchasing the building from the City. This maintenance building will replace the current building plus provide a climate controlled garage for parking equipment that is susceptible to freezing in winter.

This contract for DLZ Kentucky to offer design, contract documents, bidding services and oversight of the construction. The amount is \$55,600 with an estimated construction cost of \$450,000.

**Financial Analysis:** Funds are available in Account No. 300.68.54390.

**Recommendation:** Approval

**Attachment:**

- Contract

**Contact Person**

<b>Name:</b>	William R. Scalf, Jr., PE
<b>Title:</b>	Director
<b>Department:</b>	Sewer
<b>Phone:</b>	502/875-2448
<b>Email:</b>	<a href="mailto:wscalf@frankfort-ky.gov">wscalf@frankfort-ky.gov</a>

- 6.4** To authorize the Mayor to sign contract with Hall & Associates for the disposal of dewatered biosolids from the Wastewater Treatment Plant (Sewer Department).

**Purpose:** To authorize the Mayor to sign a contract with Hall & Associates (H&A) for the disposal of dewatered biosolids from the Wastewater Treatment Plant.

**Background:** The Sewer Department must dispose of approximately 4,900 wet tons (5,500 cubic yards) of dewatered biosolids annually from the Wastewater Treatment Plant. This contract will be for a period of five years at a unit cost of \$19.47 per cubic yard, or approximately \$22.00 per wet ton. The material will be land farmed by H&A in conformance with all applicable state and federal regulations.

The contract includes an annual escalator based upon the Consumer Price Index and a Fuel Surcharge calculation table, both must be approved by the Sewer Department prior to implementation.

**Financial Analysis:** Funds are available in Account No. 300.68.53295. Annual cost to the Department is \$107,085.

**Recommendation:** Approval

**Attachment:**

- Bid Tab
- Proposal Form

**Contact Person**

**Name:** William R. Scalf, Jr., PE  
**Title:** Director  
**Department:** Sewer  
**Phone:** 502/875-2448  
**Email:** [wscalf@frankfort-ky.gov](mailto:wscalf@frankfort-ky.gov)

- 6.5** To authorize a lease agreement for golf course equipment, two Jacobsen AR3 Rotary Mowers, with Midwest Golf and Turf (Parks and Recreation).

**Purpose:** The purpose of this item is to consider a lease agreement for golf course equipment, two Jacobsen AR3 Rotary Mowers, with Midwest Golf and Turf.

**Background:** The Juniper Hill Golf Course has been updating their equipment to increase productivity and time management for mowing greens and tees. The Juniper Hill Golf Course began leasing equipment two years ago, and it has proven to be a very successful program. These two mowers would replace 4 Exmark mowers, which all 4 could be given out within the parks departments.

**Financial Analysis:** Five year lease at \$1,044.11 per month, or \$12,529.32 annually. Funds have been identified in Account No. 100.79.56550, Turf Equipment.

**Recommendation:** Approval.

**Attachments:**

- Lease quotes

**Contact Person:**

**Name:** Steve Brooks  
**Title:** Director  
**Department:** Parks & Recreation  
**Phone:** 502/875-8575  
**Email:** [SBrooks@frankfort-ky.gov](mailto:SBrooks@frankfort-ky.gov)

- 6.6** To authorize the Mayor to sign an Agreement with Elkhorn Properties, LLC, a/k/a Canoe Kentucky (Parks and Recreation).

**Purpose:** The purpose of this item is to authorize the Mayor to sign an Agreement with Elkhorn Properties, LLC, a/k/a Canoe Kentucky.

**Background:** Canoe Kentucky is hosting the Annual Canoe & Kayak Symposium '09 on April 25, 2009, and has requested the use of the city's River View Park for parking, sanitation and waterfront attributes. Canoe Kentucky has agreed that they will provide the City with an insurance certificate listing the City as an insured no later than thirty (30) days prior to April 25, 2009.

**Financial Analysis:** No costs to the city would be associated with this event.

**Recommendation:** Approval

**Attachment:**

- Agreement

**Contact Person:**

**Name:** Steve Brooks  
**Title:** Director  
**Department:** Parks & Recreation  
**Phone:** 502/875-8575  
**Email:** SBrooks@frankfort-ky.gov

- 6.7** To award Bid # 28001-64 for Cleaning Services to Southern Region Janitorial Service (Public Works Department).

**Purpose:** The purpose of this item is to award a cleaning service agreement to Southern Region Janitorial Service.

**Background:** On 8/27/08, the City of Frankfort opened five bids for janitorial cleaning services for three city building located at 300,314, and 315 West Second St. The two-year bids ranged from a high of \$15,864/month to a low of \$4,160/month submitted by Southern Region Janitorial Service. The newly created Building Foreman position will oversee the janitorial contract

**Financial Analysis:** Funds are available in Account No. 100.64.53295 for the cleaning services agreement with Southern Region Janitorial Service.

**Recommendation:** Approval

**Attachments:**

- Bid Tab
- Agreement

**Contact Person:**

**Name:** Jeff Hackbart  
**Title:** Director  
**Department:** Public Works  
**Phone:** 502/352-2091  
**Email:** [jhackbart@frankfort-ky.gov](mailto:jhackbart@frankfort-ky.gov)

- 6.8** Authorization to award contract to Leak Eliminators for replacing approximately 440 feet of 8-inch sanitary sewer mains, installing 10 cleanouts, installing 1 manhole, and replacing approximately 50 feet of sidewalk on Watson Court. (Sewer Department)

**Purpose:** To award contract to Leak Eliminators for replacing approximately 440 feet of 8-inch sanitary sewer mains, installing 10 cleanouts, installing 1 manhole, and replacing approximately 50 feet of sidewalk on Watson Court.

**Background:** The Sewer Department received bids on September 3 to perform replacement of the existing sewer main on Watson Court. This work is being performed because of the age of the existing sewer main, excessive Inflow and Infiltration, and numerous basement backups.

**Financial Analysis:** Funds are available in Account No. 300.68.54390.

**Recommendation:** Approval

**Attachments:**

- Bid Tab

**Contact Person**

**Name:** William R. Scalf, Jr., PE  
**Title:** Director  
**Department:** Sewer  
**Phone:** 502/875-2448  
**Email:** [wscalf@frankfort-ky.gov](mailto:wscalf@frankfort-ky.gov)

- 6.9** To award the purchase of four (4) Transit Buses to America Bus 123 Citycentre Drive Cincinnati, Ohio (Public Works Department).

**Purpose:** The purpose of this item is to award the purchase of two 2008 –550 Chevrolet 24-passenger buses and two 2008-450 Ford 12 passenger Cut-Away Transit busses.

**Background:** The Transit Division requires four new busses to replace four transit busses with over 100,000 miles each. The older models will be declared surplus. The four new busses are equipped with wheelchair lifts, security cameras, and stainless steel bike racks. The busses will be purchased through Kentucky Public Transit Association's (KPTA) bid package awarded January 25, 2008. Utilizing KPTA's bid prices satisfies the City's and the Transportation Cabinet's purchasing requirements.

**Financial Analysis:** The total cost of the four buses is \$270,000. The City will be reimbursed through the Section 5311 Capital Grant as follows: Federal Share (80%) 240,000 and the State Share (10%) \$30,000. The city's 10% match is covered by Toll Credits so the City will not have to pay a match.

**Recommendation:** Approval

**Attachments:** None

**Contact Person:**

**Name:** Jeff Hackbart  
**Title:** Director  
**Department:** Public Works  
**Phone:** 502/352-2091  
**Email:** [jhackbart@frankfort-ky.gov](mailto:jhackbart@frankfort-ky.gov)

- 6.10** To authorize application for litter abatement funds through the Kentucky Natural Resources and Environmental Protection Cabinet, and authorize the Mayor to sign all grant-related documents (Public Works).

**Purpose:** The purpose of this item is to apply for litter abatement funds through the Kentucky Natural Resources and Environmental Protection Cabinet.

**Background:** The City of Frankfort is eligible to apply for litter abatement funds through the Kentucky Natural Resources and Environmental Protection Cabinet. This funding is available to cities and counties throughout the Commonwealth to support litter clean up on public roadways. This program is funded through House Bill 174. HB 174 requires permitted solid waste landfills to collect an additional \$1.75/ton



to pay for litter abatement programs and proper closures of abandon landfills. The funding level received is based upon public street miles within the City limits. As required by KRS 224.43-345, two litter cleanups will be conducted along city streets each year. The City also agrees to report information to the County by February 1 of each year regarding all litter abatement activities. The litter abatement grant application must be received by the Environmental and Protection Cabinet by 11/01.08.

**Financial Analysis:** There is no longer a 25% city match required to receive this grant. Based upon street miles, the City anticipates receiving \$14,585.06 in 2009.

**Recommendation:** Approval

**Attachment:**

- Litter Abatement Funding Form

**Contact Person**

<b>Name:</b>	Jeff Hackbart	Mark Barrette
<b>Title:</b>	Director	Franklin Co. Solid Waste Coordinator
<b>Department:</b>	Public Works	
<b>Phone:</b>	502/875-8500	502/875-8751
<b>Email:</b>	<a href="mailto:jhackbart@frankfort.ky.gov">jhackbart@frankfort.ky.gov</a>	

- 6.11** To authorize an amendment for a professional service contract with Otis Engineering, LLC for engineering services for the construction phase of the Watson Court Sewer Replacement Project (Sewer Department).

**Purpose:** The purpose of this item is to consider amending a contract with Otis Engineering, LLC for engineering services through the construction phase of the Watson Court Sewer Replacement Project.

**Background:** In December 2007 the Sewer Department accepted Statements of Qualifications from engineering firms for prequalification into the Wet Weather Program. The Sewer Department received Statements of Qualifications from 27 firms.

Based upon qualifications and the time schedule associated with the project, the sewer department recommended that the project be awarded to Otis Engineering, LLC. Otis Engineering was contracted to complete design of the project.

The design has been completed and this amendment is for Otis Engineering to provide engineering services through the construction phase of the project. The amount of Amendment # 1 is \$8,000.

Original Contract	\$13,000
Amendment # 1	<u>\$ 8,000</u>
Total Contract	\$21,000

**Financial Analysis:** Funds are available in Account No. 300.68.54390.

**Recommendation:** Approval

**Attachment:**

- Amendment No. 1

**Contact Person**

<b>Name:</b>	William R. Scalf, Jr., PE
<b>Title:</b>	Director
<b>Department:</b>	Sewer
<b>Phone:</b>	502/875-2448
<b>Email:</b>	<a href="mailto:wscalf@frankfort-ky.gov">wscalf@frankfort-ky.gov</a>

- 6.12** To authorize an agreement between the City of Frankfort and Nikki Miller and the Diet Center of Frankfort, Inc., regarding the payment of delinquent net profits taxes (City Solicitor).

**Purpose:** To obtain approval to enter into an Agreement with Nikki Miller and the Diet Center of Frankfort, Inc., providing for the payment of the net profits tax owed by Nikki Miller and the Diet Center of Frankfort, Inc., to the City of Frankfort.

**Background:** Nikki Miller and the Diet Center of Frankfort, Inc., owe the City the amount of \$1,885.56 in delinquent net profits taxes and withholding taxes, including penalty and interest. An Agreement has been negotiated with Nikki Miller and the Diet Center of Frankfort, Inc., requiring the payment of the tax due, plus penalty and interest and attorneys fees.

**Financial Analysis:** There should be a positive fiscal impact due to these taxes being paid.

**Recommendation:** Approval

**Attachment:**

- Agreement

**Contact Person**

**Name:** Robert C. Moore  
**Title:** City Solicitor  
**Department:**  
**Phone:** 502/227-2271  
**Email:** rmoore@hazelcox.com

<b>6.13</b>	<b><u>Personnel Action</u></b> <b>Retirement</b>	<b><u>Employee</u></b> John C. Morrow	<b><u>Department</u></b> Human Resources	<b><u>Date</u></b> 9-30-08	<b><u>Other</u></b> Director; authorize payment of all accrued time as of effective date
	<b>Resignation</b>	Kathleen Jackson	Communications	8-24-08	Telecommunicator; Authorize payment of all accrued time as of effective date

**Attachments:**

- John C. Morrow retirement letter
- Kathleen Jackson resignation letter

**Contact Person:**

**Name:** John Morrow  
**Title:** Director  
**Department:** Personnel  
**Phone:** 502/875-8500  
**Email:** [jmorrow@frankfort-ky.gov](mailto:jmorrow@frankfort-ky.gov)

- 7. BOARD APPOINTMENTS**
- 8. OLD BUSINESS**
- 9. NEW BUSINESS**
- 10 CITIZEN COMMENTS**

**11. COMMISSIONER COMMENTS**

**12. ADJOURNMENT**